

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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TRUSTEES OF THE PLUMBERS LOCAL UNION
NO. 1 WELFARE FUND, ADDITIONAL SECURITY
BENEFIT FUND, VACATION & HOLIDAY FUND,
TRADE EDUCATION FUND AND 401(k) SAVINGS
PLAN, TRUSTEES OF THE PLUMBERS AND
PIPEFITTERS NATIONAL PENSION FUND,
TRUSTEES OF THE INTERNATIONAL TRAINING
FUND and GEORGE W. REILLY, as Business Manager
of LOCAL UNION NO. 1 OF THE UNITED ASSOCIATION
OF JOURNEYMEN AND APPRENTICES OF THE
PLUMBING AND PIPEFITTING INDUSTRY
OF THE UNITED STATES AND CANADA,

Plaintiffs,

ORDER TO SHOW CAUSE

-against-

07-CV-1740 (SLT) (JO)

***RIVERDALE ASSOCIATES, LLC, A.S.A.
OF NEW YORK, INC., WINGATE MECHANICAL
and WILLIAM JOHNSTON a/k/a WILLIAM JOHNSON,
in his official capacity as Chief Executive Officer of
A.S.A. OF NEW YORK, INC, in his individual capacity
and as fiduciary,***

Defendants.

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TOWNES, United States District Judge:

Upon the Motion to Stay Arbitration filed by defendants Riverdale Associates, LLC, A.S.A. of New York, Inc., and William Johnston (collectively, the “Movants”), and the supporting documents filed therewith – including the affidavit of William Johnston dated June 13, 2007, the exhibits attached thereto, and the Brief in Support of Movants’ Request for a Stay of Arbitration – and after considering plaintiffs’ opposition papers, consisting of the Declaration of Michael J. D’Angelo dated June 14, 2007, the exhibits attached thereto, and the Affidavit of Steven B. Horowitz, Esq., in Reply to Opposition of Plaintiffs, it is hereby

ORDERED that Movants' request for a temporary restraining order is denied. However, plaintiffs shall show cause before this Court on the 28th day of June, 2007, at 10:00 a.m., or as soon thereafter as counsel can be heard, at the United States Courthouse, Courtroom 4B, 225 Cadman Plaza East, Brooklyn, New York 11201, why a preliminary injunction should not issue staying the arbitration proceeding which was initiated by the Executive Committee Hearing currently scheduled for June 18, 2007. It is further

ORDERED that service of this Order to Show Cause shall be made on or before the 18th day of June, 2007, via overnight mail, on Barnes, Iaccarino, Virginia, Ambinder & Shepherd, PLLC, counsel for plaintiffs, at Trinity Center, 111 Broadway, Suite 1403, New York, New York 10006, Attn. Yongmin Oh, Esq., and

ORDERED that service of any additional opposition papers be made on or before the 22nd day of June, 2007, via overnight mail, on Roth Horowitz, LLC, counsel for defendants, at 150 Morris Avenue, Suite 206, Springfield, New Jersey 07081, Attn: Steven B. Horowitz, Esq., and that service of any additional reply papers be made on or before the 26th day of June, 2007, via overnight mail, on counsel for plaintiffs at the above-referenced address. It is also

ORDERED that on or before June 18, 2007, counsel for plaintiffs serve and file a letter response, not to exceed three pages in length, to the pre-motion conference request filed by Steven B. Horowitz on June 7, 2007. *See* Paragraph III.B of the Individual Motion Practices of this Court.

SO ORDERED:

/s/

SANDRA L. TOWNES
United States District Judge

Dated: Brooklyn, New York
June 14, 2007